bsb

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION NO. 153 OF 2006

Darshan Singh Parmar ... Petitioner

V/s

Union of India & ors. ... Respondents

Ms. Trupti Rangnekar i/by D.S.Sakhalkar for the petitioner.

Mr. Girish Kulkarni with A.N.Gokhale and Vinod Joshi for respondent Nos. 1 & 4.

Ms. Geeta Shastri, A.G.P. for respondent Nos.2 & 3.

CORAM: J.N. PATEL &
SMT. NISHITA MHATRE, JJ.

DATED: 21ST NOVEMBER, 2007.

P.C.:

1. The petitioner through this petition has sought to bring to the notice of this Court the evasion of sales tax on the basis of certain information supplied by him to the respondent agencies. According to the petitioner, several major oil companies were showing fictitious sales to the outstation customers to be able to sell diesel at higher rates as interstate sales, thus avoiding paying sales tax to the Government at the rate of 26%. The allegations contained in the petition

indicate that the petitioner has brought to the notice of the investigating authorities and the State on several occasions that there is an evasion of sales tax on a large scale because of the complicity between the sales tax officers and the officials of the oil companies.

2. An affidavit has been filed by the Superintendent of Police, C.B.I. EOW, Mumbai in October, 2007. In paragraphs 9 and 10 of this affidavit, the affiant has disclosed that the C.B.I., Gandhinagar Branch has registered an F.I.R. vide RC.12/A/2000-GNR on 23.5.2000 in respect of several allegations made by the petitioner. The affidavit also reveals that four charge-sheets have already been filed and other charge-sheets are in the process of being finalised.

3. An affidavit has also been filed by Swati Anant Palkar, Under Secretary, Finance Department, Government of Maharashtra, to which there are annexures indicating the names of the persons who have been arrested as also the processes registered against them.

4. We are satisfied, therefore, that the respondents have taken action in accordance with the law and we expect that they will pursue the matter expeditiously.

The law will therefore take its course in respect of the charge-sheets filed and other action contemplated against the persons mentioned in the annexures to the affidavit of Swati Anant Palkar as well as the cases which have been registered by the C.B.I.

5. As regards prayer (b) of the petition regarding the reward, which the petitioner expects for revealing this information to the respondents, he may pursue the appropriate remedy for the same.

6. We need not issue any further directions in the matter and we dispose of the petition accordingly.

(J.N. PATEL, J.)

(SMT. NISHITA MHATRE, J.)